

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALVIN DECOTEAU, aka Albert  
Decoto,

Plaintiff(s),

v.

JOHN MUSCHI, et al.,

Defendant(s).

No. C 05-3723 CRB (PR)

ORDER OF DISMISSAL

Per order filed on February 14, 2006, the court found that plaintiff's pro se civil rights complaint for damages under 42 U.S.C. § 1983 stated a cognizable claim for use of deadly force against him, when liberally construed, and ordered the United States Marshal to serve the named Oakland police officer defendants. A copy of the order was mailed to plaintiff.

On February 22, 2006, the post office returned the court's mail to plaintiff as undeliverable. An annotation on the returned mail indicates that plaintiff is no longer in custody at the Alameda County Jail. Defendants have also informed the court that they have been unable to locate plaintiff. Because 60 days have passed since the court's mail to plaintiff was returned as undeliverable, and the court has received no written communication from plaintiff indicating a current address, the case is DISMISSED without prejudice pursuant to Local Rule 3-11(b).

The clerk shall close the file and terminate all pending motions as moot.  
SO ORDERED.

DATED: April 24, 2006

  
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CHARLES R. BREYER  
United States District Judge